

REMARKS

I. STATUS OF THE CLAIMS

Applicants received the Office Action dated December 10, 2007, in which the Examiner 1) rejected claims 3, 4, 6, 7, 9, 11, 13, 26 and 29 under 35 U.S.C. §103(a) as allegedly obvious under Wagner (U.S. Pat. No. 5,424,938) in view of Hawkins (U.S. Pat. No. 6,029,146); 2) rejected claim 12 under 35 U.S.C. §103(a) as allegedly obvious under Wagner in view of Hawkins and Harada (U.S. Pub. No. 2003/0208440); and 3) rejected claims 21-22 and 24-25 under 35 U.S.C. §103(a) as allegedly obvious under Hawkins in view of Harada.

With this Response, Applicants amend claims 3, 6, 21 and 26. Applicants also add new claim 46. Based on the amendments and arguments herein, Applicants respectfully submit that all pending claims are in condition for allowance.

II. CLAIM 9 PREVIOUSLY CANCELED

The Examiner rejected claim 9 as obvious under Wagner in view of Hawkins. This is an error, as claim 9 was previously canceled. Applicants respectfully request that the Examiner withdraw this rejection.

III. REJECTIONS UNDER WAGNER IN VIEW OF HAWKINS

Claims 3, 4, 6, 7, 11, 13, 26 and 29 stand rejected as allegedly obvious under Wagner in view of Hawkins. As amended, claim 3 requires "wherein, as a result of a corporate action, the computerized executing affiliate transfers one or more messages to the global hub, said messages containing information pertaining to open transaction orders affected by the corporate action" and "wherein, as a result of receiving said messages, the global hub forwards at least one of the messages to the computerized introducing affiliate, said at least one of the messages contains information pertaining to open transaction orders placed by said introducing affiliate." The combination of Wagner and Hawkins fails to teach or suggest such limitations. In particular, not only do the references – alone or in combination – fail to even mention corporate actions, but they most certainly fail to describe the transfer of messages pertaining to the corporate actions

as specifically required by claim 3. For at least this reason, claims 3-4 are patentable over the combination of Wagner and Hawkins.

As amended, claim 6 requires "wherein, as a result of a business action, the computerized executing affiliate transfers one or more messages to the global hub, said one or more messages containing information pertaining to open transaction orders affected by the business action" and "wherein, as a result of receiving said one or more messages, the global hub forwards at least one of the messages to the computerized introducing affiliate, said at least one of the messages contains information pertaining to open transaction orders placed by said introducing affiliate." As explained above, the combination of Wagner and Hawkins fails to teach or even suggest such a combination of limitations. Thus, claims 6, 7, and 11-13 are patentable over the combination of Wagner and Hawkins.

As amended, claim 26 requires "wherein, as a result of a business action, the second computerized system transfers one or more messages to the global hub, said one or more messages containing information pertaining to open transaction orders affected by the business action" and "wherein, as a result of receiving said one or more messages, the global hub forwards at least one of the messages to the first computerized system, said at least one of the messages contains information pertaining to open transaction orders placed by said first computerized system." As explained above, the combination of Wagner and Hawkins fails to teach or suggest such limitations. Thus, claims 26 and 29 are patentable over the combination of Wagner and Hawkins.

IV. NEW CLAIM 46

New claim 46 is patentable at least by virtue of its dependency on claim 3. Claim 46 is further patentable because it requires that "said corporate action comprises an action selected from the group consisting of stock splits, reverse splits, name changes, stock symbol changes, mergers, voluntary tender offers, mandatory tender offers, exchange offers, rights offerings, warrant exercises, and dividend payout." No combination of the art of record teaches that such corporate actions result in the transfer

of messages as required by claim 46 (by virtue of dependency on claim 3). Thus, claim 46 is patentable for this additional reason.

V. REJECTIONS UNDER WAGNER, HAWKINS AND HARADA

Claim 12 stands rejected as allegedly obvious under Wagner in view of Hawkins and Harada. However, as explained above, claim 12 is patentable over the combination of Wagner and Hawkins. Harada fails to satisfy the deficiencies of this combination. Thus, claim 12 is patentable over the combination of Wagner, Hawkins and Harada.

VI. REJECTIONS UNDER HAWKINS AND HARADA

Claims 21-22 and 24-25 stand rejected as allegedly obvious under Hawkins in view of Harada. As amended, claim 21 requires "as a result of a business action, transferring one or more messages to the global hub, said one or more messages containing information pertaining to open transaction orders affected by the business action" and "as a result of receiving said one or more messages, forwarding at least one of the messages to the customer, said at least one of the messages contains information pertaining to open transaction orders placed by said customer." As explained above, Hawkins fails to teach such a limitation. Likewise, Harada fails to mention corporate actions, and most certainly does not discuss transferring, receiving or forwarding messages pertaining to the corporate actions, as specifically required by claim 21. Thus, claims 21-22 and 24-25 are patentable over the combination of Hawkins and Harada.

VII. CONCLUSION

Applicants respectfully request reconsideration, a withdrawal of all rejections and objections, and that a timely Notice of Allowance be issued in this case. It is believed that no extensions of time or fees are required, beyond those that may otherwise be provided for in documents accompanying this paper. However, in the event that additional extensions of time are necessary to allow consideration of this paper, such extensions are hereby petitioned under 37 C.F.R. § 1.136(a), and any fees required (including fees for net addition of claims) are hereby authorized to be charged to Conley Rose, P.C. Deposit Acct. No. 03-2769/1991-00301/HGLM.

Appl. No. 09/769,036
Amdt. dated June 10, 2008
Reply to Office Action of December 10, 2007

Respectfully submitted,

/Nick P. Patel/

Nick P. Patel
PTO Reg. No. 57,365
CONLEY ROSE, P.C.
(713) 238-8000 (Phone)
(713) 238-8008 (Fax)
AGENT FOR APPLICANTS